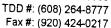
GIS REGISTRY INFORMATION

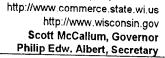
SITE NAME:	Q-MART			and Salah salah Salah salah sa
BRRTS #:	03-05-109082			
CLOSURE DATE:	07/31/2002			
STREET ADDRESS:	302 N. BROADWAY			
CITY:	DE PERE			
SOURCE PROPERTY GPS COOR WTM91 projection):	DINATES (meters in	X=674	341 Y = _	443833
OFF-SOURCE CONTAMINATION	(>ES):	Yes	[X] _N	
IF YES, STREET ADDRESS 1:				
GPS COORDINATES (meters in W	TM91 projection):	X=	Y= _	
SOIL CONTAMINATION >GENERI RCL: IF YES, STREET ADDRESS 1:	IC OR SITE-SPECIFIC	Yes	XN	0
GPS COORDINATES (meters in W	TM91 projection):		Y=	
CONTAMINATION IN RIGHT OF W DOCUMENTS NEEDED: Closure Letter, and any condition Copy of most recent deed, include	nal closure letter issued	X Yes	X	o Legal Description on Deed Restriction
Certified survey map or relevant legal description) for all affected	portion of the recorded		he	Deed Heatherlott
County Parcel ID number, if used	for county, for all affect	ted properties	X	
Location Map which outlines all protopographic map or plat map in suff (8.5x14" if paper copy). If groundwathe location of all municipal and potential	icient detail to permit the pater standards are exceed	parcels to be located easily led, the map must also inclu		
Detailed Site Map(s) for all affects boundaries, contaminant sources, us if paper copy) This map shall also shighway and railroad rights-of-way is boundaries of groundwater contamine exceeding ch. NR 720 generic or site.	utility lines, monitoring wellshow the location of all connection to the source properties on the source properties on the source properties on the source properties of the source properties of the source properties of the source properties of the source	ls and potable wells. (8.5x1- ntaminated public streets, roperty and in relation to the 140 ESs and soil contaminat		
Tables of Latest Groundwater An	alytical Results (no sha	ding or cross-hatching)	x	
Tables of Latest Soil Analytical R Isoconcentration map(s), if requirements to the isoconcentration map should be contamination defined. If not available map	red for site investigation ave flow direction and ext	o (SI) (8.5x14" if paper copy, ent of groundwater		

GW: Table of water level elevations, with sampling dates, and free product noted if present	N/]
GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees) SOIL: Latest horizontal extent of contamination exceeding generic or site-specific RCLs, with one contour.	X	
Geologic cross-sections, if required for SI. (8.5x14' if paper copy)	x	1
RP certified statement that legal descriptions are complete and accurate Copies of off-source notification letters (if applicable)]
Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)	X	
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure	ľ	1

BUREAU OF PECFA 2129 Jackson Street

Oshkosh, Wisconsin 54901-1805







July 31, 2002

Mr. Bernard Nowicki Quality State Oil Company, Inc. 2201 Calumet Drive PO Box 848 Sheboygan, WI 53082-0848

RE:

Final Closure

Commerce # 54115-2510-02 WDNR BRRTS # 03-05-109082 Q-Mart #216, 302 N. Broadway, De Pere

Three gasoline USTs (unknown size)

Dear Mr. Nowicki:

The Wisconsin Department of Commerce (Commerce) has received all items required for closure of the site referenced above. This site is now listed as "closed" on the Commerce database and will be included on the Wisconsin Department of Natural Resources (WDNR) Geographic Information System (GIS) Registry of Closed Remediation Sites to address residual contamination.

It is in your best interest to keep all documentation related to the environmental activities at your site. If residual contamination is encountered in the future, appropriate measures must be implemented to assure that it is managed following all applicable regulations. If future site conditions indicate that any remaining contamination poses a threat, and subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (920) 303-5410.

Sincerely,

Seth A. Fidman

Beth A. Erdman

Hydrogeologist

Site Review Section

CC:

Mark Borucki-GZA GeoEnvironmental, Inc.

Case File



ENVIRONMENTAL & REGULATORY SERVICES
2715 Post Road
Stevens Point, Wisconsin 54481
Fax: (715) 345-5269
TDD #: (608) 264-8777
www.commerce.state.wi.us
Scott McCallum, Governor
Brenda J. Blanchard, Secretary

July 10, 2001

Quality State Oil Co., Inc. Attn: Bernard Nowicki 2201 Calumet Drive Sheboygan WI 53083

RE: Commerce # 54115-2510-02 A

Q-Mart #216, 302 N. Broadway Avenue, DePere, WI

Case Closure (conditional upon receipt of documentation)

Dear Mr. Nowicki:

On June 1, 2000 the Wisconsin Department of Natural Resources transferred this site to the Wisconsin Department of Commerce for regulatory oversight. On behalf of the Wisconsin Department of Commerce, I am reviewing this case for closure.

Using the standards established in NR 700, and the risk criteria of Comm 46, the Department has determined that this site does not pose a significant threat to the environment and human health, and no further investigation or remedial action is necessary. In making this determination, I reviewed the following documents prepared by GZA GeoEnvironmental, Inc., as well as other correspondence in the case file:

- Site Investigation Work Plan, January 9, 1997
- Site Investigation Report, March 2, 1998
- Remedial Action Options Report, March 2, 1998
- Remedial Activities Report, July 1, 1998
- Case Summary and Closure Request, May 30, 2001

If, in the future, site conditions indicate that any contamination that might remain poses a threat, the need for further remediation would be determined and required if necessary. If subsequent information indicates a need to reopen this case, any original claim under the PECFA fund would also reopen and you may apply for assistance to the extent of remaining eligibility.

RE: Commerce # 54115-2510-02 A

Q-Mart #216

302 N. Broadway Avenue, DePere, WI

July 10, 2001

Page 2

IMPORTANT: we cannot list this case as "closed" on our computer database until we receive the following items.

- A notification must be placed on the property deed addressing residual soil and groundwater impacts. For case closure we will need a copy of the deed notification that contains the County Register of Deeds' recording information. Enclosed an example of a "Notice of Contamination to Property" for your use. If you wish to modify the language, submit a copy to this office for review prior to filing. The Department suggests including a site map identifying where the remaining contamination exists along with soil and groundwater tables indicating the depths and amounts.
- A ROW contamination letter must be sent to the City of DePere and/or the DOT
 addressing soil and groundwater contamination within the ROW of Williams and
 Broadway Streets. Signed copies of these letters acknowledging the contamination must
 be forwarded to the Department at the letterhead address.
- Monitioring Well purge water disposal documentation from the post remedial action sampling events.
- Documentation of the abandonment of monitoring wells MW-1, 2, 3, 4, 5, 6, 7, 8. 9, Sumps 1, 2, and 3. Please submit abandonment documentation to the Department at the letterhead address.

Thank you for your efforts in the protection of the environment. If you have any questions, please call me at (715) 342-3802.

Sincerely,

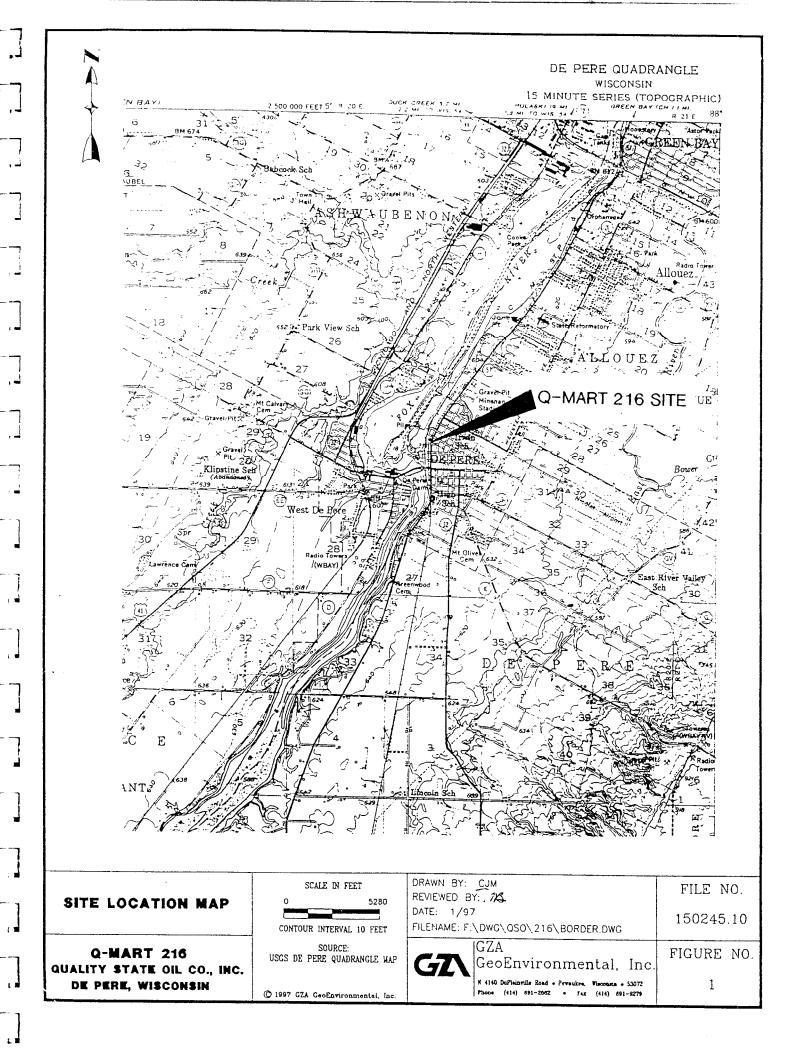
Dee Zoellner Hydrogeologist

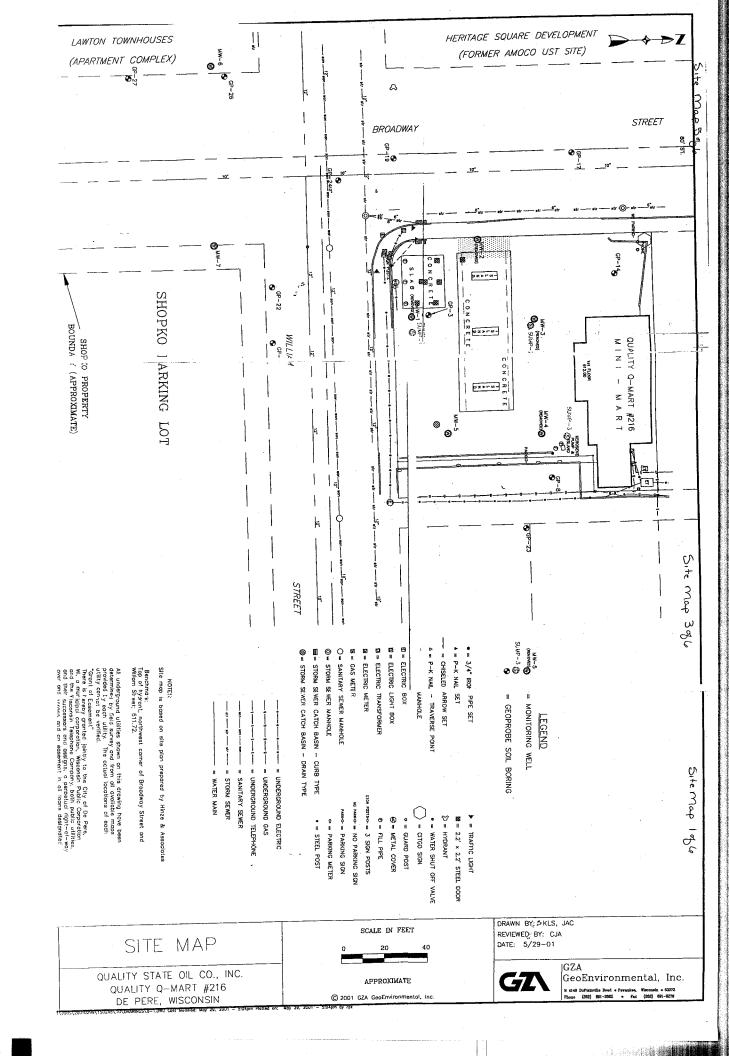
PECFA Site Review Section

enclosure

cc: Mark Borucki - GZA (with enclosure)

electronic case file





o-Xylene & Styrene	ng/l	10,000	1,000	582	169	4,970	261	592	3,550	<100,000	<1,000	<100	<1.0	<1.0	1.56	<50.0	8.50	<1.0	15,500	<10.0	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	39.9	287	<5.0	<1.0
m- & p-Xylene	l/ān	10,000	1,000	10,600	12,200	9,430	1,100	521	7,230	- 000,701	<1,000	273	<1.0	<1.0	1.86	138	14.5	<1.0	34,400	59.0	<1.0	<5.0	<1.0	<50.0	<1.0	1,200	57.5	1,470	<5.0	<1.0
-2,5,1 -lyddəmh7T ənəxnəd	l/gn	480	96	395	83	<\$00	77.9	<50	<500	200,000	<1,000	695	<1.0	<1.0	<1.0	56.7	2.58	<1.0	2,120	51.0	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	12.4	423	<5.0	<1.0
-1,2,1 -lydiəmhT ənəznəd	l/gn	480	96	2,190	2,950	3 5,	390	164	1,590	555,000	2,060	1,950	<1.0	<1.0	1.40	204	5.58	<1.0	7,420	206	2.1	<5.0	<1.0	<50.0	<1.0	<100.0	56.3	1,310	8.65	<1.0
oroldahT-1,1,1 sashs sashs	ug/l	200	40	<250		<\$00		<50.0	<\$00	100,001	<1,000		<1.0	<1.0	<1.0	<50.0	<1.0	<1.0	<1,000	<10.0	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	<5.0	<100.0	<5.0	17.1
Toluene	l/an	1,000	200	1,420	1,060	18,600	252	089	12,500	<100,000	<1,000	<100	<1.0	<1.0	<1.0	<50.0	13.9	<1.0	96.300	<10.0	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	11.6	155	<5.0	<1.0
n-Propył- benzene	ng/l			<250		<\$00		<50.0	<\$00	> 00,001>	<1,000		<1.0	<1.0	1.21	<50.0	<1.0	<1.0	<1,000	18.9	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	10.2	269	<5.0	<1.0
Naphthalene	ug/]	40	8	419		524		<50	<\$00	to9,000 <1	1,750		<1.0	<1.0	<1.0	<50.0	<1.0	<1.0	3,960	83.9	<1.0	<5.0	<1.0	<\$0.0	<1.0	106	21.6	2	<5.0	<1.0
Methyl tert butyl ether	ng/l	09	12	<250		<\$00		<50	<\$00	100,00	<1,000	<100	7.5	26.7	<1.0	<50.0	<1.0	<1.0	<1,000	<10.0	<1.0	5	23.6	<50.0	<1.0	2,220	<5.0	<100.0	<5.0	<1.0
p-lsopropyi- toluene	l/Bn			<250		<500		<50.0	<\$00	<100,001>	<1,000 <		<1.0	<1.0	<1.0	<50.0	<1.0	<1.0	<1,000	11.4	<1.0	<1.0	<1.0	<\$0.0	<1.0	<100.0	<5.0	130	<5.0	<1.0
Isopropyl Ether	l/gu			<250		<\$00		<\$0.0	<\$00	> 00,001	<1,000		<1.0	<1.0	<1.0	<50.0	<1.0	<1.0		<10.0	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	<5.0	134	<5.0	<1.0
penzene laopropyl-	l/gn			<250		<500		<50.0	<500	<100,001>	<1,000		<1.0	<1.0	<1.0	<50.0	<1.0	<1.0		14.0	<1.0	<1.0	<1.0	<\$0.0	<1.0	<100.0	12.6	198	<5.0	<1.0
Еґһуірепzепе	ug/l	700	140	2,400	3,180	2,060	959	151	1,710	<100,000<	<1,000	<100	<1.0	<1.0	<1.0	184	2.64	<1.0	7,350	36.4	<1.0	<5.0	<1.0	<50.0	<1.0	404	52.9	708	<5.0	<1.0
1,2. Signious thane	ng/l	~	0.5	<250		<\$00		73.9	**************************************	> 00,001	1		13.40	<1.0	<1.0	<50.0	<1.0	<1.0	<1.000	<10.0	<1.0	57,8	4.71	<50.0	<1.0	<100.0	<5.0	<100.0	<5.0	<1.0
I,I Sichloroethane	ug/l	850	85	<250		<\$00		<50.0	<\$00	100,00	<1.000		<1.0	<1.0	<1.0	<50.0	<1.0	<1.0	<1.000	<10.0	<1.0	<5.0	<1.0	<50.0	<1.0	<100.0	<5.0	<100.0	<5.0	21.4
Butylbenzene sec-	l/an			<250		<500		<50.0	<\$00	376,000 <100,00 <100,00	<1.000		 	<1.0	1.65	<50.0	<1.0	<1.0	<1.000	15.6	<1.0	<5.0	0.1>	<\$0.0	<1.0	<100.0	<5.0	<100.0	<5.0	<1.0
Butylbenzene n-	l/an			<250		<\$00		<50.0	1,710	> 000'928	1.770		<1.0	<1.0	1.41	<50.0	2.66	<1.0			<1.0	<5.0	√1.0 	59.5	√1.0	<100.0	113	929	12.0	<1.0
Benzene	l/an	-	5.0	6,450	8			36.0	34.5	22		\$ \$	<0.5	<0.5	1.02	10.000	2	.1	2.00	08	<0.5 50.5	4.08	<0.5	<25.0	<0.5	3.020	25.4	<50.0	\$25	<0.5
basd	l/an	15	1.5	6.38		5.66		3.09		39.1			0.12			<1.0	<1.0	<1.0												
Diesel Range Organica	l/sm			10.93		9.28		1.843		279.000 39.1 <50.00			0 482																	
эвлам Капре Отраліся	l/sm			37	36.8	49.1	6.35	3.15		15	250	26.3	050																	
- Sandine			2	Feb-97	Jan-98	Feb-97	Jan-98	Feb-97	Jan-98	Feb-97	1.07.07 1.07.07	Jan-98			Ian-98	Ian-98	Ian-98	Ian.98	18n 97	Ign-97	Ian-97	Amr-97	Amr. 97	Amr. 07	Amr.97	Apr. 97	1 1 0 d	Jun-97	Inn-97	Jun-97
Parameter	Unite	WAC ND 140 FC	WAC NR 140 PAL	MW-1		WW.2		WW-3		MW-4 (Oil Phase)	1		MW.5		9-MM															

Quality Q-Mart #216

De Pere, Wisconsin

1. Groundwater samples were collected by GZA GeoEnvironmental, Inc. on January 21, 1997, February 11, 1997, April 10, 1997, June 16, 1997, and January 21, 1998, and analyzed by U.S. Filter/Enviroscan, Inc. of Rothschild, Wisconsin.

Notes:

2. Concentrations are reported in units of milligrams per liter (mg/l) or micrograms per liter (ug/l), as indicated.

3. The current Wisconsin Administrative Code (WAC) Chapter NR 140 Preventive Action Limits (PALs) and Enforcement Standards are shown for reference, where established. The PAL and ES shown for m- & p-Xylene and o-Xylene & Styrene are those established for Total Xylenes. The PAL and ES shown for 1,2,4- and 1,3,5-Trimethylbenzene are those established for the two parameters combined.

4. Shading indicates a concentration above the ES for that parameter and bold face type indicates a concentration above the PAL.

5. Blank space indicates the sample was not analyzed for that parameter.

/150245/Gwater2

Page 1 of 1

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APPENDIX I - TABLE 2 POST-REMEDIAL GROUNDWATER ANALYTICAL RESULTS

Quality Q-Mart #216 De Pere, Wisconsin

Parame	ter	Diesel Range Organics	Benzene	Ethylbenzene	Methyl tert butyl ether	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	m- & p-Xylene	o-Xylene and Styrene
Units	5	mg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l
WAC NR	140 ES		5	700	60	1,000	480	480	10,000	10,000
WAC NR 1	40 PAL		0.5	140	12	200	96	96	1,000	1,000
Sump 2	Jul-98	1.9	60	71	27	43	82	13	190	28
	Nov-98		42	40	2.3	3.0	6.3	<1.8	<3.6	<3.4
	Feb-99		5.2	2.6	3.7	6.2	2.4	0.93*	6.5	3.6
	Jul-99	1.3	30	15	2.6	12	9.9	1.6*	15	7.3
	Oct-99	0.72	59	1.9	1.6*	2.7	1.5*	1.1*	2.1*	2
Sump 3	Jul-98	2.2	<0.35	3.2	<0.45	<0.36	16	4.1	8.7	2.8
	Nov-98		<0.43	1.6	< 0.41	< 0.43	< 0.43	2.0	< 0.89	< 0.86
1	Feb-99		<0.50	1.8*	<0.47	1.0*	11	2.5	5.5	1.7*
	Jul-99	1.6	<0.5	1.5*	<0.47	< 0.52	4	1.4*	1.7*	<0.5
	Oct-99	1.4	<0.5	1.4*	< 0.47	< 0.52	2.8	1.3*	1.6*	<0.5

Notes:

- 1. Groundwater samples were collected by GZA GeoEnvironmental, Inc. on July 1, 1998, November 25, 1998, February 25, 1999, July 19, 1999, October 15, 1999, and analyzed by Northern Lake Service, Inc. of Crandon, Wisconsin.
- 2. Concentrations are reported in units of milligrams per liter (mg/l) or micrograms per liter (μ g/l), as indicated.
- 3. Wisconsin Administrative Code (WAC) Chapter NR 140 Preventive Action Limits (PALs) and Enforcement Standards are shown for reference, where established. The PAL and ES shown for m- & p-Xylene and o-Xylene & Styrene are those established for Total Xylenes. The PAL and ES shown for 1,2,4- and 1,3,5- Trimethylbenzene are those established for the two parameters combined.
- 4. Shading indicates a concentration above the ES for that parameter and bold face type indicates a concentration above the PAL.
- 5. Blank space indicates the sample was not analyzed for that parameter.
- 6. "*" indicates an estimated concentration which is between the laboratory limit of detection and limit of quantitation.

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APPENDIX I - TABLE 2 POST-REMEDIAL GROUNDWATER ANALYTICAL RESULTS Quality Q-Mart #216 De Pere, Wisconsin

Parame	ter	Diesel Range Organics	Benzene	Ethylbenzene	Methyl tert butyl ether	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	m- & p-Xylene	o-Xylene and Styrene
Units		mg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l
WAC NR 1	40 ES		5	700	60	1,000	480	480	10,000	10,000
WAC NR 14	40 PAL		0.5	140	12	200	96	96	1,000	1,000
MW-8	Jul-98	0.15	<0.35	<0.39	<0.45	< 0.36	<0.47	<0.44	<1.1	<0.47
	Nov-98		<0.22	<0.21	<0.20	<0.22	<0.22	< 0.22	<0.44	<0.43
	Feb-99		<0.50	< 0.54	< 0.47	< 0.52	< 0.55	<0.52	<1.0	<0.50
	Jul-99	0.18	<0.5	< 0.54	<0.47	< 0.52	<0.55	< 0.52	<1	< 0.5
	Oct-99	<0.029	<0.5	< 0.54	< 0.47	<0.52	<0.55	<0.52	1.3*	<0.5
MW-9	Jul-98	0.14	<0.35	<0.39	<0.45	< 0.36	<0.47	< 0.44	<1.1	<0.47
	Nov-98		<0.22	<0.21	< 0.20	<0.22	<0.22	<0.22	<0.44	<0.43
	Feb-99		<0.50	<0.54	<0.47	<0.52	<0.55	<0.52	<1.0	<0.50
	Jul-99	0.19	<0.5	<0.54	<0.47	<0.5	< 0.55	< 0.52	< 0.54	<1.0
	Oct-99	<0.029	<0.5	< 0.54	< 0.47	<0.5	<0.55	<0.52	<0.54	<1.0
Sump 1	Jul-98	12	2,200	780	110	3,100	1,100	410	4,400	1,600
	Nov-98	3	1,700	630	<51	1,500	1,100	280	3,000	1,100
	Feb-99		970	920	140*	2,700	2,300	690	4,800	1,900
	Jul-99	9.4	1,800	610	<47	1,400	940	270	2,400	740
	Oct-99	3.8	710	350	<24	350	430	98	670	420

APPENDIX I - TABLE 2 POST-REMEDIAL GROUNDWATER ANALYTICAL RESULTS Quality Q-Mart #216 De Pere, Wisconsin

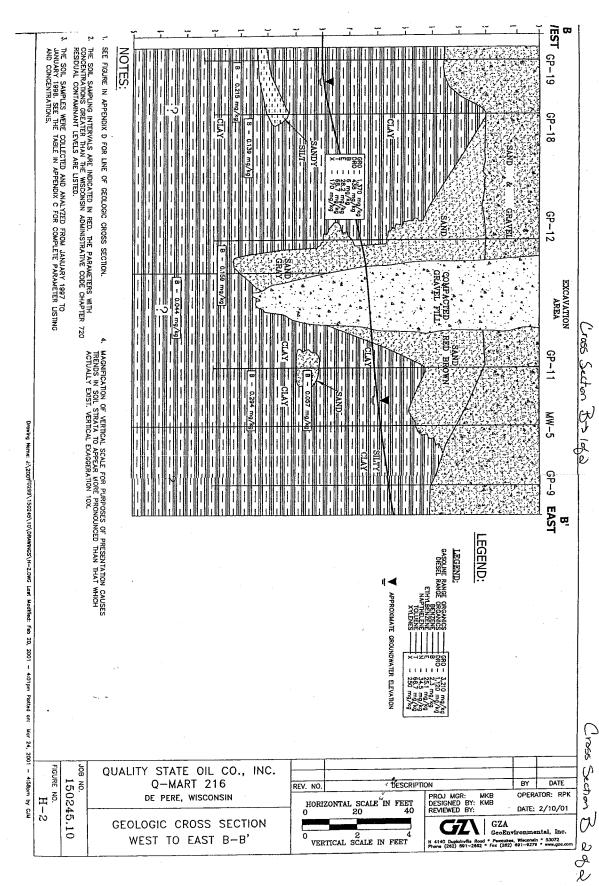
Parame	ter	Diesel Range Organics	Benzene	Ethylbenzene	Methyl tert butyl ether	Toluene	1,2,4-Trimethylbenzene	1,3,5-Trimethylbenzene	m- & p-Xylene	o-Xylene and Styrene
Units	6	mg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/l	μg/ 1
WAC NR	140 ES		5	700	60	1,000	480	480	10,000	10,000
WAC NR 1	40 PAL		0.5	140	12	200	96	96	1,000	1,000
MW-5	Jul-98	<0.086	< 0.35	<0.39	9.8	<0.36	<0.47	<0.44	<1.1	<0.47
	Nov-98		<0.22	<0.21	4.2	<0.22	<0.22	< 0.22	< 0.44	<0.43
	Feb-99		<0.50	<0.54	9.6	< 0.52	< 0.55	< 0.52	<1.0	<0.50
	Jul-99	0.17*	<0.5	<0.54	5.7	< 0.52	< 0.55	< 0.52	1	<0.5
	Oct-99	<0.029	<0.5	<0.54	3.7	< 0.52	<0.55	<0.52	<1.0	<0.5
MW-6	Jul-98	0.28	<0.35	< 0.39	<0.45	<0.36	<0.47	<0.44	<1.1	< 0.47
	Nov-98		<0.22	0.42	<0.20	0.44	<0.22	< 0.22	< 0.44	< 0.43
	Feb-99		<0.50	0.82*	1.7	0.82*	0.68*	< 0.52	1.3*	0.82*
	Jul-99	0.28	<0.5	1.3*	< 0.47	0.69*	< 0.55	< 0.52	2.9*	< 0.5
	Oct-99	0.11	<0.5	< 0.54	< 0.47	<0.52	< 0.55	<0.52	<1.0	<0.5
MW-7	Jul-98	1.9	79	240	<8.9	34	120	46	110	<9.3
	Nov-98	3	160	290	7.0	14	190	17	170	<8.6
	Feb-99	·	48	76	<9.4	16*	90	14*	52*	<10
	Jul-99	1.6	43	110	<4.7	11*	52	14*	21*	<5.0
	Oct-99	1.3	35	120	<2.4	3.8*	83	3.7*	20	7.1*

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Cross Section Atlac

Cross Section Hydofa



GZA

GeoEnvironmental, Inc.

Engineers and Scientists

September 6, 2001

File No. 150245.10

City of DePere 335 South Broadway DePere, Wisconsin 54115

RECEIVED

Attention:

Ms. Judy Schmidt-Layman

City Attorney

SEP 1 1 2001 ERS DIVISION STEVENS POINT

Subject:

Notification of Contamination Quality State Oil Company, Inc. 302 North Broadway Avenue

DePere, Wisconsin

Wisconsin Department of Commerce File No. 54115-2510-02 A

N4140 Duplainville Road Pewaukee Wisconsin 53072 262-691-2662 FAX 262-691-9279 http://www.gza.net

Ms. Schmidt-Layman:

In accordance with Wisconsin Administrative Code, Chapter NR 726.05 (2) (b) 4, and on behalf of Quality State Oil Company, Inc. (QSOC), GZA GeoEnvironmental, Inc. (GZA) is submitting this Notification of Contamination for the QSOC Q-Mart 216 facility located at 302 North Broadway Avenue in DePere, Wisconsin ("Site").

Based on subsurface Site investigation activities performed by GZA, minor residual petroleum soil and groundwater contamination originating from a release from a former gasoline underground storage tank system is present on-Site and in portions of the right-of-way adjacent to the Site along Broadway Avenue and Williams Street. Based on data we obtained, the impacted soil and groundwater extends southwest of the Site, as depicted on the attached plan.

A Notice of Contamination to Property documenting the residual contamination on QSOC's property has been filed with the Site property deed at the County Registrars office.

Should you have any questions or require additional information regarding the residual contamination, contact the Wisconsin Department of Commerce (DCOM) or GZA at your convenience. Please acknowledge receipt of this letter by signing in the space provided below and faxing the signed copy back to GZA at (262) 691-9279. We will then forward a copy of this letter to DCOM for their files.

Letter received by: 2001

Very truly yours,

GZA GeoEnvironmental, Inc.

Mark K. Borucki, P.G. Senior Project Manager

John C. Osborne, P.G.

Principal/District Office Manager

150245/DePere.doc

c:

Ms. Dee Zollner (DCOM)

Mr. Bernard Nowicki (QSOC)

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ERS DIVISION

City Attorney's Office

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(920) 339-4042

CITY OF DE PERE

335 South Broadway Dc.Pere, WI 54115 Fax No.: 920/339-4049 Web: http://ci.de-pere.wi.us

July 31, 2002

<u>VIA FAX (262) 6</u>91-9279 Mr. Mark Borucki Senior Project Manager GZA GeoEnvironmental, Inc. N4140 Duplainville Road Pewaukee, WI 53072

RE: Notice of Contamination

Quality State Oil Company, Inc.

302 North Broadway

Wisconsin Department of Commerce File No. 54115-2510-02 A

Dear Mr. Borucki:

This letter is in response to your request for an endorsed copy of the September 6, 2001 letter which was sent to my office.

The City of De Pere acknowledges your September 6, 2001 letter wherein you inform the City of your belief that groundwater and soil contamination is present at the above site and the right-ofway adjacent to that site. If there is any future construction or utility work encountering such contamination, the City further acknowledges that the party responsible for the contamination would be responsible for environmental remediation costs incurred at that time.

If have any questions, please call me at the above number.

Very truly yours,

Judith Schmidt-Lehman

City Attorney

JSL:tno

Jim Grassman, City Administrator CC:

Roy Simonson, Director of Public Works

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Document Number

NOTICE OF CONTAMINATION
TO PROPERTY

BROWN COUNTY REGISTER OF DEEDS CATHY WILLIQUETTE

2001 SEP | | P |: 04

Declaration of Restrictions

Legal 0.298 Acre - Original Plat of DePere, Brown County, WI In Re: Lots (7 & 8 Blk 21 Desc. as Lot 1 in 15 CSM 83 # 2934

Recording Area

6) <u>1</u>3(9)

Name and Return Address

BERNARD NOWICKI V.P.

QUALITY STATE OIL CO.INC.

POBOX 848

SHEBOYGAN, NIC 53082

ED-869

Parcel Identification Number (PIN)

STATE OF WISCONSIN) ss

COUNTY OF BROWN

Section 1 Quality State Oil Company, Inc. is the owner of the above-described property.

One or more petroleum discharges occurred at this property. Petroleum contaminated groundwater above Chapter NR 140 enforcement standards and soils above NR 720 residual contaminant levels of the Wisconsin Administrative Code exist(s) on this property. The petroleum contamination may be encountered on site extending from William Street north approximately 120 feet and from Broadway Street east approximately 100 feet.

Section 3 The owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and/or restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

Residual petroleum contaminated soil and groundwater remains on this site. According to the closure report filed by GZA GeoEnvironmental, Inc. dated May 30, 2001, the residual soils are located on site with residual groundwater contamination located near the southern portion of the site and into the ROW,

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Broadway and Williams Street. Natural attenuation is the approved remedial alternative for this site. If contaminated soil is excavated in the future, it may be considered a solid waste and will need to be disposed in accordance with all applicable laws. In addition, if construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property while this Notice of Contamination to Property is in effect, the groundwater shall be sampled and analyzed for the contaminants that were previously detected on the property, and any extracted groundwater shall be managed in compliance with applicable statues or rules. File references: PECFA Claim number 54115-2501-02 and BRRTS 03-05-109082, GZA GeoEnvironmental, Inc. Report dated May 30, 2001.

Also.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources, or its successor, issue a determination that the restrictions set forth in this covenant are no longer required. The property owner shall provide any and all necessary information to the Department in order for the Department to be able to make a determination. Upon receipt of such a request, the Department shall determine whether or not the restrictions contained herein can be extinguished. Conditions under which a restriction may be extinguished will be determined in accordance with the site-specific standards, rules and laws for this property. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this restriction or portions of this restriction are no longer binding. Any restriction placed upon this property shall not be extinguished without the Department's written determination.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 30th day of Ougust 7, 2001.
By signing this document, <u>Deborah DeBlaup</u> acknowledges that [he/she is duly authorized to sign this document on behalf of Quality State Oil Company, Inc.
Signature: Leborah Audaey
Printed Name: Deborah DeBlacy
Title: V.P. of Finance & Administration
Subscribed and sworn to before me this 30th day of August, 2001.
Notary Public, State of Wisconsin
My Commission 10/17/04
DRAFTER BY 150245/NOCP216.DOC
BERNARD MOWICHI CERNISCO